




J. Craig Whitley
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE:

CALVIN RAY KENNEDY a/k/a
C. RAY KENNEDY and
CYNTHIA M. KENNEDY,

Debtors.

CASE NO. 20-30208
CHAPTER 11

ORDER

THIS CAUSE, coming on to be heard and being heard before J. Craig Whitley, United States Bankruptcy Judge for the Western District of North Carolina, upon the Motions (1) To Enjoin Use of Cash Collateral, et al. (doc #32)(hereinafter "Motion") of Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not in its individual capacity but solely as Owner Trustee of Residential Credit Opportunities Trust II, (hereinafter "Wilmington Savings") and Notice of Hearing and Response of Debtors to Motions, et al. (doc #34)(hereinafter "Response") being heard on December 15, 2020;

It appearing to the Court that the Motion of Wilmington Savings was properly served on all parties including those parties as noted on the Debtors' mailing matrix and that only the Debtors filed a Response thereto;

It further appearing to the Court that James H. Henderson appeared for and on behalf of the Debtors, that William Walt Pettit appeared for and on behalf of Wilmington Savings, that Stacy

C. Cordes appeared for and on behalf of Essendant Co., and that Shelley K. Abel, Bankruptcy Administrator, appeared; and

It further appearing to the Court that the Debtors have agreed to remit regular monthly payments including principal, interest and escrow in the total sum of \$28,291.84 each to Wilmington Savings on or before January 1, 2021, February 1, 2021 and March 1, 2021, that the Debtors should be permitted to use cash collateral through March 9, 2021, that the Motion should be continued to March 9, 2021 to allow the Debtors time to file and serve their Disclosure Statement and Plan and to seek confirmation of the Plan and that the entry of this Order does not prejudice or alter the Debtors' rights to contest any of the factual statements or legal conclusions in the Motion or waive any defenses as set forth in their Response

NOW, THEREFORE, IT HEREWITH IS ORDERED, ADJUDGED AND DECREED as follows:

1. That the Debtors be and they are herewith authorized and directed to remit regular monthly payments in the sum of \$28,291.84 each to Wilmington Savings on or before January 1, 2021, February 1, 2021 and March 1, 2021;

2. That the Motion and the Response be and the same herewith are continued to Tuesday, March 9, 2021 at 9:30 a.m. at the U.S. Courthouse, 401 West Trade Street, Charlotte, North Carolina for further hearing; and

3. That the entry of this Order does not prejudice or alter the Debtors' rights to contest any of the factual statements or legal conclusions set forth in the Motion or waive any defenses as set forth in their Response.

This Order has been signed electronically. The Judge's signature and Court's Seal appear at the top of the Order.

United States Bankruptcy Court